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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/683,966	10/10/2003	Jaroslav Hynecek	TI-36593	1855

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EXAMINER	
HO, TUAN V	
ART UNIT	PAPER NUMBER
2622	

NOTIFICATION DATE	DELIVERY MODE
07/15/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	**Application No.** 10/683,966	**Applicant(s)** HYNECEK, JAROSLAV	
	Examiner Tuan V. Ho	**Art Unit** 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 December 2008*.

2a)☒ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-0 and 12-13* is/are rejected.

7)☒ Claim(s) *11* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

1. After carefully reviewing the claims, Applicant's arguments with respect to claims 1-13 are persuasive and, therefore, the finality of that action is withdrawn. The examiner regrets any inconvenience to the Applicant.

Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4 are ejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "the digital data", line 8 lacks antecedent basis.

3. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-9 are rejected under 35 U.S.C. 101 because the steps of claims are not tied a particular machine used to perform the steps. In addition, the steps can be mentally generated as purely mental steps.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-8, 10, 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Komiya et al (US 5,264,940).

With regard to claim 1, Komiya et al discloses in Fig. 2 a an electronic camera that performs the method for sensing an image comprising integrating charge in an image sensor array (CCD imaging element 38 generates image charges, col. 4, lines 49); transferring the charge out of the image sensor array (charges are read out by preamplifier 42, col. 4, line 54); converting the charge to a digital signal (A/D converter 46, col. 4, line 57); combining the digital signal with digital data stored in a memory device to form an integrated signal (accumulating circuit 56 treated as a memory device that includes memory 54 and adder 52 that are used to add image charges together so as to generate combined charges; , col. 4, lines 62-68); storing the integrated signal in the memory device such that the integrated signal becomes the digital data (combined charges are stored in memory 54); and repeating the above steps N times during a frame time cycle, where N is an integer greater than one (control circuit 58 controls charge accumulation number in the memory 54, (col. 4, lines 65-68 and col. 5, lines 1-5).

With regard to claim 2, Komiya et al discloses in Fig. 2 a an electronic camera that performs the method for sensing an image comprising the step of the combining the digital signal with the digital data comprises summing the digital signal and the digital data to form the integrated signal (accumulated signal charges are stored in memory 54).

With regard to claim 3, Komiya et al discloses in Fig. 2 a an electronic camera that performs the method for sensing an image comprising the step of storing 20 the integrated signal comprises storing the integrated signal in addresses corresponding to pixels in the image sensor array (memory 54 inherently stores addresses of a frame corresponding to the pixel of CCD element 38 since the addresses represent pixel values of CCDD element 38).

With regard to claim 5, Komiya et al discloses in Fig. 2 a an electronic camera that performs the method for sensing an image comprising the step of performing digital integration in the digital memory device by cumulatively combining the digital signal of a present step with the digital signal of previous steps (memory device 56, col. 4, line 66).

With regard to claim 6, Komiya et al discloses in Fig. 2 a an electronic camera that performs the method for sensing an image comprising the step of reading a digital image signal from the memory device (digital signals Sn, col. 5, line 1).

With regard to claim 7, Komiya et al discloses in Fig. 2 a an electronic camera that performs the method for sensing an image comprising the step of converting the digital image signal to an analog signal (A/D converter 46).

With regard to claim 8, Komiya et al discloses in Fig. 2 a an electronic camera that performs the method for sensing an image comprising the step of storing the digital signal in addresses corresponding to each pixel in the image sensor array (digital addresses stored in memory 54 correspond to the pixel locations in CCD sensor element 38).

Apparatus claim 10 corresponds to method claim1 and is analyzed the same as previously discussed with respect to method claim 1.

With regard to claim 12, Komiya et al discloses in Fig. 2 a an electronic camera that performs the method for sensing an image comprising the shift register coupled to the array of image sensing pixels (CCD element 38 inherently includes CCD shift registers that are used to transfer image signals out of the CCD element 38).

With regard to claim 12, Komiya et al discloses in Fig. 2 a an electronic camera that performs the method for sensing an image comprising the buffer amplifier coupled between the shift register and the analog-to- digital converter (pre-amplifier 42 is used as a buffer amplifier that is connected between CCD shift registers of element 38 and A/D converter 46 as shown in Fig. 2).

5. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan Ho whose telephone number is (571) 272-7365. The examiner can normally be reached on Mon-Fri 7:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tuan V Ho/

Primary Examiner, Art Unit 2622